

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-2, SUB 1297  
DOCKET NO. E-7, SUB 1268

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Duke Energy Progress, LLC, and Duke	)	ORDER GRANTING MOTION TO
Energy Carolinas, LLC, 2022 Solar	)	INTERVENE OUT OF TIME OF
Procurement Pursuant to Session	)	CAROLINAS CLEAN ENERGY
Law 2021-165, Section 2(c)	)	BUSINESS ALLIANCE

BY THE CHAIR: On March 11, 2022, the Commission issued an Order Opening Separate Dockets and Establishing Procedural Deadlines (Order) which established these dockets for the purpose of considering Duke Energy Progress, LLC's and Duke Energy Carolina, LLC's (collectively Duke) Petition for Authorization of 2022 Solar Procurement Program (Petition) pursuant to Session Law 2021-165, Section 2(c.). The Order provided that "any person having an interest in Duke's 2022 Solar Procurement Plan may file a petition to intervene in Docket Nos. E-2, Sub 1297 and E-7, Sub 1268 stating such interest on or before Monday, March 28, 2022." So as to provide notice to potentially interested persons, the Order was also issued in the Commission docket pertaining to the Carbon Plan pursuant to Session Law 2021-165, Docket No. E-100, Sub 179. The Order further set out a procedural schedule for receiving the comments of interested parties.

Prior to or on March 28, 2022, approximately seven organizations petitioned to intervene in these dockets, in addition to the Public Staff and the Attorney General's office whose interventions are recognized by statute. Therefore, the Commission concludes that diligent persons were provided adequate notice the intervention deadline in these dockets. Further, the Commission's online docket system is publicly available and interested persons may monitor recent Commission orders at any time.

Also on March 28, 2022, a number of organizations filed comments on Duke's proposed 2022 Solar Procurement Program, including the Carolinas Clean Energy Business Alliance (CCEBA) which filed comments jointly with the Clean Power Suppliers Association. Despite having notice of the Commission's Order allowing interventions and requesting comments, CCEBA failed to file a timely petition to intervene in these dockets.

On March 29, 2022, CCEBA filed a Motion to Intervene Out of Time (Motion). In support of its Motion, CCEBA states that "[t]hrough an inadvertent oversight, CCEBA failed to petition to Intervene in E-2, Sub 1297 and E-7, Sub 1268 before March 28, 2022." CCEBA further states that it "does not seek to delay any proceedings in these dockets, but only requests the Commission to allow its intervention one day out of time." Finally, CCEBA states that its "members include companies which intent [sic] to participate in any 2022 solar procurement ordered by the Commission under House Bill 951 and [that it] seeks to add the voices and expertise of its members to these discussions."

Although the Commission's Order was unequivocal in setting forth the deadlines for intervention and comment in this docket, the Commission recognizes that CCEBA's members are stakeholders in this matter and that their perspective is relevant to the Commission's consideration of Duke's Petition. Therefore, the Chair is of the opinion that good cause exists to allow the requested out-of-time intervention of CCEBA.

IT IS, THEREFORE, SO ORDERED as follows:

1. That CCEBA is hereby allowed to intervene in this proceeding; and
2. That the name and address of the attorney for CPSA is:

John D. Burns  
General Counsel  
811 Ninth Street  
Suite 120-158  
Durham, NC 27705  
counsel@carolinasceba.com

ISSUED BY ORDER OF THE COMMISSION.

This the 31st day of March, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, appearing to read "Joann R. Snyder". The signature is written in a cursive, flowing style.

Joann R. Snyder, Deputy Clerk